IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 6479 of 2007(U)

PETITIONER:

SMT.SHERLY P.C., AGED 42 YEARS,
W/O.SRI. SHAJU K.THOMAS, H.S.A (P.S.),
C.P. POCKER HAJI MEMORIAL HIGH SCHOOL,
OZHUR, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI.M.R.GOPALAKRISHNAN NAIR
SRI.B.SOMADASAN

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, TRIVANDRUM.

2. THE DEPUTY DIRECTOR OF EDUCATION, MALAPPURAM.

3. THE DISTRICT EUDCATION OFFICER, TIRUR.

4. THE MANAGER, C.P. POCKER HAJI MEMORIAL HIGH SCHOOL, OZHUR, TIRUR, MALAPPURAM DISTRICT.

5. THE HEADMASTER, C.P. POCKER HAJI MEMORIAL HIGH SCHOOL, OZHUR, TIRUR, MALAPPURAM DISTRICT.

R1 TO R3 BY GOVERNMENT PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 6479 OF 2007 U

Dated this the 27th February, 2007

JUDGMENT

Case of petitioner, in brief, is as follows:

Petitioner was served with Ext.P1 Memo of Charges to which she filed Ext.P2 explanation. By Ext.P3, her leave application was rejected. She filed an application for regularisation of the leave from 19.2.2004 to 27.2.2004. An Enquiry Report is submitted. Petitioner submitted explanation to the show cause notice. By Ext.P9, third respondent rejected ratification of the proposed punishment. Thereafter, the petitioner preferred Ext.P10 before the fifth respondent, Headmaster seeking regularisation of the leave. Complaint of petitioner is that in spite of clear directions from the statutory authorities, petitioner has not been sanctioned increments, salary for the month of February, 2004, senior grade & selection grade.

2. Heard the learned Government Pleader also. In the

nature of the order that I propose to pass, I do not think it necessary to issue notice to the respondents. The Writ Petition is disposed of directing the fifth respondent to consider and take a decision on Ext.P10 in accordance with law, after hearing the petitioner also, within a period of six weeks from the date of receipt of a copy of this Judgment. I leave open the contentions of petitioner.

K. M. JOSEPH, JUDGE

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